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L.K.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/962,315    10/31/97    HOUSE

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EXAMINER
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TUNG, B

ART UNIT	PAPER NUMBER
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2713

DATE MAILED:  
04/26/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/962,315

Applicant(s)  
House

Examiner  
Bryan Tung

Group Art Unit  
2713



☒ Responsive to communication(s) filed on 2-15-00

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 2, 3, and 5-10 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 2, 3, and 5-10 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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**35 U.S.C. §102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2, 3, and 5-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Subbarao (US 4,965,840) for the reasons set forth in ¶2 of the last Office Action.

**Response to Argument**

3. Applicant's arguments filed 2-15-00 have been considered but are not fully persuasive.

(1) Applicant asserts that Subbarao does not disclose plural cameras having different resolutions. However, Subbarao indicates that one of the parameters in which the plural cameras may differ is aperture (col.9, ln.60-63). It is well established in the camera art that aperture is directly related to resolution. This idea is illustrated in the following references: Mammone (US 5,835,265) (see col.2, ln.15-17); Stone (US 5,477,332) (see col.9, ln.10-13); and Rabii (US 5,045,929)

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(see col.14, ln.31-33). Therefore, because the plural cameras in Subbarao have different apertures and because aperture size is directly related to camera resolution, Subbarao discloses plural cameras having different resolutions as claimed.

(2) Applicant asserts that Katsuhiko (JP 8-007102) does not disclose plural cameras having different resolutions. This argument is persuasive.

#### **Status of Application**

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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#### Contact Information

Inquiries concerning this communication or earlier communications from the examiner should be directed to Bryan S. Tung, whose telephone number is 703-308-6614.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley, can be reached at 703-305-4856.

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703-305-3900.

Fax communications should be sent to 703-308-5359.

Bryan S. Tung/bst

4-25-00

  
BRYAN TUNG  
PRIMARY EXAMINER